

Legislation Text

File #: 2023-320, Version: 1

Title:

Approve the Sheriff's Office to mount Automated License Plate Readers (ALPRs) on County Traffic System Infrastructure to be used for public safety, crime prevention and investigative purposes and authorize County Traffic Engineering to work with the Sheriff's Office personnel to facilitate the process. **(Lisa Spriggs, Chief of Administrative Services)**

Division:

Sheriff's Office

Authorized By:

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Background:

ALPR CAMERAS:

An automated license plate reader (ALPR) system is a system of one or more mobile or fixed high-speed cameras, combined with computer algorithms to convert images of license plates into computer-readable data. An image captured by an ALPR camera shows only the location of a vehicle at a particular public location at a fixed moment in time. An ALPR record consists of information as a result of the license plate capture, such as the image of the license plate, the optical character recognition rendition of the license plate number, the date/time, and location of the ALPR. Stored ALPR information does not include any personally identifying information. Law enforcement must identify individuals who are associated with license plate information by use of a separate, legally-authorized inquiry into a different restricted-access database.

ALPR systems can aid in the detection, identification and recovery of stolen vehicles, wanted persons, missing and/or endangered children/adults, and persons who have committed serious and violent crimes. ALPR data can also help develop and pursue leads in criminal investigations by assisting in locating suspects, witnesses, and victims by identifying vehicles in the vicinity at the time of the crime.

The use of ALPR systems is becoming more widely known and used. The Florida State Legislature passed two laws governing ALPR systems in 2014. See § 316.0777 and §316.0778. Florida Statutes provide, among other things, that information gathered by ALPR programs in Florida is confidential and exempt from Florida's public records law (with the exception of a citizen's own ALPR records).

Section 316.0778 tasked the Florida Department of State, "[i]n consultation with" FDLE, to " establish a retention schedule for records containing images and data generated through the use of an [ALPR] system." Pursuant to this statutory instruction, the Department of State promulgated Florida Administrative Code Rule 1B-24.003(1) (b), effective February 19, 2015 which provides that ALPR data and images can be retained for no longer than three years from collection absent specific suspicion or use in an ongoing investigation. See State of Florida General Record Schedule GS2 For Law Enforcement, Correctional Facilities and District Medical Examiners, Item # 217.

Additionally, pursuant to F.S. 943.08, the Criminal and Juvenile Justice Information Systems Council (CJJIS) issued Guidelines in February 2016, to assist law enforcement agencies with developing best practices for the collection, use, retention, oversight, auditing, and other safeguards for ALPR data. The Seminole County Sheriff's Office has drafted a policy based upon the guidelines developed by CJJIS.

Consistent with the Guidelines, the policy as drafted requires that only authorized and trained personnel can access the ALPR system and, when doing so, they are only authorized to use such information for official law enforcement business. The policy also accounts for auditing safeguards.

Several jurisdictions in Florida, including municipalities within Seminole County are already using ALPR systems. Lake Mary is developing their FLOCK platform with 5 cameras off Lake Emma, Primera, Rinehart and Lake Mary Blvd. The Airport has a robust ALPR program. Winter Springs placed one camera at the front of Central Winds Park. Oviedo is currently experimenting with Vigilant. Sanford has the most ALPR cameras and also has mobile trailers and one camera positioned on 17-92 at 27th street.

FLOCK ALPR CAMERAS:

One vendor of ALPR camera device capabilities is Flock Safety. Flock Safety in partnership with AXON has created a network of both fixed and mobile Automated License Plate Reader (ALPR) capabilities. The SCSO uses Axon cameras in its vehicles and for body camera capabilities. The car cameras are equipped with ALPR capabilities but are not currently being used.

FLOCK provides for ALPR camera installation and monitoring at stationary locations such as on poles on the right of way or intersection traffic control device poles. Simply put, Flock uses a 24-hour wireless camera, designed to capture license plates in real-time, which can be used by law enforcement to investigate crime.

ALPR systems are also used in residential settings such as the entrances and exits to neighborhoods when Home Owner Associations (HOA) utilize their systems. FLOCK has advised, there are 280 private FLOCK customers in the state of Florida and this number is rapidly increasing. We have five of these customers in Seminole County and we currently have access to their data. The purpose of this request however is not for private HOA use cameras.

The National Police Foundation is conducting a study to examine the public safety benefits of fixed position automated license plate readers (ALPRs). Specifically, the study will explore crime prevention value, use, and effectiveness of ALPR camera systems. Looking at factors of volume and concentration as well as technology advancements that capture a variety of license plates, as well as vehicle information, characteristics, and marks. The strategic location and additional information may provide investigators with new avenues to investigate and close crimes.

Participants of the national research study will receive 25 Flock Safety ALPRs for a one-year period without cost to the agency, a custom report on the agency detailing the effect of ALPRs on crime, arrest, and clearance; and guidance on more efficacious ways of deploying ALPRs. The research study is being paid for through AXON Enterprises who partners with Flock Safety to provide advanced security for communities and the law enforcement agencies that serve them. The Sheriff's Office is interested in being a participant in this research which will provide a one-year trial period to use fixed ALPRs as a tool to solve crime.

There have already been numerous success stories involving the use of ALPR camera systems. The following incidents are an illustration of local success involving criminal offenses involving violence to persons.

On April 21, 2021 an extremely violent, brutal homicide occurred in Volusia County. Information pertaining a suspect vehicle was received from Volusia Sheriff's Office and the tag was entered into the ALPR hotlist to monitor. The vehicle hit a fixed ALPR in

Sanford. The Seminole County Sheriff's Office Offender Management Unit, who had already been monitoring this incident, was notified of the ALPR scan. The suspect and vehicle were located at a laundromat near the ALPR. The suspect was taken into custody follow a shootout with Detectives.

On March 24, 2022 just before 0900hrs, Seminole County Sheriff's Office responded to the Hussein Islamic Center for an "injured person." Investigation revealed that an unknown suspect allegedly murdered an employee and fled the scene in the victim's van. A witness on scene only knew the victim's first name. Analysts were able to locate the victim's full name & tag number. At 0909hrs, information related to the victim's vehicle was sent to neighboring agencies requesting they add the vehicle to their local ALPR hotlists. There were no local ALPR scans in Seminole County and there were no reads on any local toll roads. There was a possibility that the vehicle was heading into Brevard County via SR 46, however, nothing was confirmed. Once it was established that it was a homicide investigation, at 1001hrs, the tag information was then sent out over ORCA (ORCA is a listserv [email list management software] that is comprised of over 400 law enforcement entities throughout the state. It's typically used to relay bulletins to neighboring agencies). Indian River County added the vehicle to their ALPR hotlist. The vehicle hit one of their Flock cameras at 1157hrs. The vehicle was promptly located and the suspect was taken into custody. It should be noted that the victim's vehicle and suspect were located and taken into custody within 3 hours of the initial call for service being received.

On January 9, 2023 the Communications Center received a call related to a shooting in the North Region. Analysts searched the victim's tag in the ALPR and looked at the vehicles that were trailing it. Analysts located a vehicle of interest and relayed the information to units. Units confirmed that the vehicle located by the analysts was likely the suspect vehicle. It should be noted that the vehicle of interest was identified within 15 minutes of receiving the call. The case was turned over to Seminole County Sheriff's Office Major Crimes Unit.

There have also been success stories related to criminal offenses involving property.

On December 1, 2022 a Felony Lane Gang style vehicle burglary occurred at Sanlando Park. "Felony Lane gang" can be described as a group of individuals that is known for breaking into vehicles to steal checks, credit cards, ID's, bank information type items. While "felony lane" is a nationwide issue, they typically target parks and trailheads in Seminole County. The suspect vehicle was identified through a Flock Demo camera that was deployed at the park.

On June 12, 2022 A commercial burglary occurred at "It's Worth More" located off of

Monroe Rd in which over \$1,000,000 (1 million) in merchandise was stolen. The suspect vehicle was identified through a mobile ALPR trailer deployed in the area around Orange Blvd & Monroe Rd.

There have been numerous other success stories to include recovery of a missing endangered elderly person, and the prevention of a young person committing suicide.

The Sheriff's Office is requesting the Board's approval to mount fixed ALPRs on the County's traffic system infrastructure and on County Right of Ways. The ALPRs would be mounted or positioned by Flock Safety in coordination with Sheriff's Office and County Traffic Engineering personnel. The ALPRs are solar powered with a battery charging system and Flock safety will provide all mounting equipment and installation services. No wiring or mechanical is required.

Captured license plate images in the system will be accessed for official law enforcement purposes and accessed by trained authorized users. Authorized users may only search ALPR data in the furtherance of an active investigation, with a case number associated with a search. The Domestic Security Division within the Seminole County Sheriff's Office (SCSO) will routinely run audits of authorized users. Any misuse or suspicion of misuse of any ALPR system will result in the user's access being inactivated.

Additionally, to address privacy concerns, all data is securely stored in the cloud and deleted automatically after 30 days, on a rolling basis. The SCSO owns all imagery outright and Flock Safety does not sell the data. Agencies using Flock have the ability to be a part of a network with other law enforcement agency users. If an agency wants access to another agency's data it must agree to share their data with that other agency. This is an option to share and the agency can limit it's sharing if it so chooses. All Agencies in Florida must adhere to the same strict guidelines as outlined by FDLE.

The locations for mounting the ALPRs have been identified. The Sheriff seeks to mount twenty-one (21) ALPR cameras on Traffic Control device poles which are located on the County Property. The four (4) remaining ALPRs would be located on fixed 12-foot FLOCK poles located on county right-of-way. All cameras operate on solar power. FLOCK will provide the cameras and all installation without cost to the Sheriff or County during this study period.

Summary:

In order to move forward, the Sheriff seeks approval from the Board of County Commission to mount ALPR cameras on county property to be used for public safety, crime prevention and investigative purposes and to authorize County Traffic

Engineering to work with the Sheriff's Office personnel to facilitate the process.

Staff Recommendation:

Recommend approval of the Sheriff's Office request to mount Automated License Plate Readers (ALPRs) on County Traffic System Infrastructure and County right of way to be used for public safety, crime prevention and investigative purposes and to authorize County Traffic Engineering to work with the Sheriff's Office personnel to facilitate the process.